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S E C R E T SECTION 01 OF 02 OTTAWA 001703

SIPDIS

STATE FOR EB/ESC/TFS (MBRUNO), S/CT (TKUSHNER), IO/PHO
(BFITZGERALD), AND WHA/CAN
TREASURY (JZARATE), AND OFAC (RWERNER)
NSC (KEMERSON)

E.O. 12958: DECL: 06/30/2015

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SUBJECT: TERRORIST FINANCE - OTTAWA: CANADIAN INTEREST IN
LISTING HIG

REF: A. STATE 98286

[1](#)B. OTTAWA 1493

Classified By: Wendy Moore, Economics Counselor, Ottawa. Reason: 1.4(e).

[1](#)1. (S) This is an urgent action request. See para 4.

[1](#)2. (S) On June 6, Foreign Affairs Canada (FAC) provided post with their analysis of listing HIG under Canada's criminal code. (Hekmatyar, as an individual, and MEK, were recently added to Canada's criminal code, but the GOC held HIG for further consideration.) The points below (para 3) will be presented at a Deputy Ministers' meeting on the topic tomorrow, June 7. The Canadian embassy in Kabul arranged a meeting with other embassies on June 1 to discuss listing HIG. That meeting, along with discussions with Afghan FM Abdullah in Ottawa on June 1 and our feedback in ref A, contributed to Foreign Affairs Canada's position. Although, as explained below, FAC is leaning towards a listing along the lines of "Hezb-e Islami Hekmatyar Faction" rather than HIG, they do not know if other agencies will agree to restrict the listing as the Statement of Case was written for HIG overall.

[1](#)3. Begin text:

(S) Criminal Code listing
"Hezb-e Islami Gulbuddin"

-- FAC agrees that the group directly associated with Gulbuddin Hekmatyar should be listed under the Criminal Code.

-- Based on this and the decision taken at the last meeting of Deputy Ministers on this issue, we have conducted consultations with our allies both in capitals and in Kabul.

-- While all those consulted support action being taken against those directly associated with Gulbuddin Hekmatyar, concerns were expressed with respect to the appellation of the group.

-- During his visit to Ottawa on June 1, and when asked, Afghan FM Abdullah cautioned that the designation of "Hezb-e Islami Gulbuddin" could cast the net too widely. He further indicated that the formulation might be ambiguous and suggested "Hezb-e Islami Hekmatyar Faction" as a possibility. He emphasized the importance of using a qualifying term like "faction", in recognition of the fact that Hezb-e Islami has various factions with different leadership.

-- Abdullah encouraged Canada not/not to take immediate action and suggested further consultations in Kabul with the GoA, on the possible negative implications of listing.

-- We will have the opportunity to consult with FM Abdullah again early next week in The Hague and will use the occasion to seek Afghan views on the most appropriate appellation.

-- Since Canada will be taking the lead among allies, it is imperative that we get the name right. While certain formulations might be appropriate in intelligence circles, we must chose the name that is most accurate and understandable.

-- Sensitivity with listing HIG has also been flagged by the US, who expressed concern about possible negative implications on the ongoing reconciliation process in Afghanistan.

-- While the reconciliation process has not been formally announced, our understanding is that it has been designed to reintegrate members of both the Taliban and HIG into their communities. The process is being administered by the Afghans with significant US involvement.

-- Afghan Parliamentary and provincial elections are scheduled to be held on September 18, 2005. The Afghans have adopted the single non-transferable vote system, which means that people will be voting for individual candidates and not parties. We must bear in mind the fact that those associated

with Hezb-e Islami will be running in the election and indeed, as FM Abdullah noted, are already represented in the government. We want to ensure that the appellation does not capture those unintended.

-- FAC will work with PSEPC and CSIS (Note: Public Safety and Emergency Preparedness Canada and the Canadian Security Intelligence Service. End note), and approach the US and the Afghan Foreign Minister Abdullah early next week in advance of the Deputy Ministers' meeting to seek views on the most appropriate appellation to attain our listing objective while not unintentionally casting the net too widely, e.g., "Hezb-e Islami Hekmatyar faction".

FAC/3 June 2005

End GOC text

14. (S) Action request: The approaches to the US and Afghan FM Abdullah mentioned above are taking place today, via this message and in The Hague. Foreign Affairs Canada would like to know if the USG would have any problem with a GOC decision to designate HIG. If so, could we support designation of an alternative such as "Hezb-e Islami Hekmatyar Faction?" GOC ministers will meet to decide on the HIG designation on Tuesday, June 14, so any USG response should be conveyed by OOB Friday, June 10 in order for Foreign Affairs staff to incorporate our views into briefing papers.

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DICKSON